

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

40 DAYS FOR LIFE, a nonprofit corporation of)
the State of Texas,)

WHITE PLAINS 40 DAYS FOR LIFE, an)
unincorporated association of the State of New)
York,)

JANE DOE and **SALLY ROE** (pseudonyms),)
Plaintiffs,).

v.)

COUNTY OF WESTCHESTER,)

GEORGE LATIMER, Chief Executive of the)
County of Westchester, in his official capacity,)
and)

TERRANCE RAYNOR, acting Commissioner)
of the Westchester Department of Public Safety,)
in his official capacity,)

Defendants.)

Case No. 7:22-cv-6950-PMH
[related case: 7:22-cv-09370]

**STIPULATION AND JOINT MOTION
TO ADD AND DROP PARTIES PURSUANT TO
FED. R. CIV. P. 21 AND FED. R. CIV. P. 15(a)(2)**

Pursuant to Fed. R. Civ. P. 15 (a)(1)(B), by amendment of right, Plaintiffs **JANE DOE** and **SALLY ROE** filed a First Amended Verified Complaint (ECF No. 45) adding as Plaintiffs **40 DAYS FOR LIFE**, a nonprofit corporation of the State of Texas, and **WHITE PLAINS 40 DAYS FOR LIFE**, an unincorporated association of the State of New York, and dropping as Defendants **COUNTY OF WESTCHESTER COUNTY DEPARTMENT OF PUBLIC**

**SAFETY, NEW ROCHELLE POLICE DEPARTMENT and CITY OF WHITE PLAINS
DEPARTMENT OF PUBLIC SAFETY.**

Now Plaintiffs and the remaining Defendants **COUNTY OF WESTCHESTER, GEORGE LATIMER**, Chief Executive of the County of Westchester, in his official capacity, and **TERRANCE RAYNOR**, acting Commissioner of the Westchester Department of Public Safety, in his official capacity, jointly move the Court, pursuant to Fed. R. Civ. P. 21 and Fed. R. Civ. P. 15 (a)(2), to drop Plaintiff “Jane Doe” from this action and substitute Plaintiff Oksana Hulinsky, and to drop Defendants Latimer and Raynor, leaving only the County of Westchester as a Defendant.

In order to facilitate the progress of this action, **Plaintiff “Sally Roe” hereby withdraws her still-pending motion to proceed pseudonymously** and will proceed under her real name, Regina Joy Creary Molinelli, as indicated in the caption of the proposed Second Amended Verified Complaint annexed hereto in support of this joint motion.

The parties stipulate and agree as follows:

1. Counsel for Defendants consent to the filing of the annexed proposed Second Amended Verified Complaint pursuant to Fed. R. Civ. P. 15(a)(2).
2. Under Federal Rule of Civil Procedure 21, on motion or *sua sponte*, “the court may at any time, on just terms, add or drop a party.” Fed. R. Civ. P. 21.
3. Defendants Latimer and Raynor, as County officials, and any successors of their respective offices, will be bound by and subject to any injunction or declaratory judgment Plaintiffs obtain against the County in this action.

4. Defendants Latimer and Raynor’s absence as parties does not prejudice in any way Plaintiffs’ ability to obtain the relief sought in Plaintiffs’ complaint, should they prevail in this litigation.

5. As noted by counsel for both sides in their similar joint motion and stipulation in the above-noted related case, Rule 21 “affords courts discretion to shape litigation in the interests of efficiency and justice.” *Lee v. Orange Cnty. Jail* (Admin.), 7:20-CV-5021 (PMH), 2020 WL 5026554, at *1 (S.D.N.Y. Aug. 25, 2020); *see also City of Syracuse v. Onondaga County*, 464 F.3d 297, 308 (2d Cir. 2006) (“District Courts have broad discretion to drop or add parties under Rule 21 when doing so would serve the ends of justice and further the prompt and efficient disposition of the litigation.” (cleaned up)).

6. The parties agree that dropping Defendants Latimer and Raynor, while substituting Plaintiff Hulinsky for Plaintiff “Jane Doe” serves judicial economy and furthers prompt, efficient resolution of this case, including by avoiding the need for anonymity or a separate action by Plaintiff Hulinsky.

7. In light of the stipulations stated above, the parties respectfully move the Court, pursuant to Defendants’ consent to the filing of a Second Amended Verified Complaint, to drop “Jane Doe” as a Plaintiff, add Oksana Hulinsky as a Plaintiff, drop George Latimer and Terrance Raynor as Defendants, and designate Plaintiff “Sally Roe” by her real name, amending the case caption accordingly.

Respectfully submitted this ____ day of December, 2022.

/s/CHRISTOPHER A. FERRARA

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